

Although my chosen career involves the creation of content for television, I am deeply troubled by the MPAA's support of a Broadcast Flag. I feel that such a measure is nothing less than the first salvo in a war the MPAA is fighting against fair use. By restricting our fair use rights, the entertainment industry conglomerates hope to create more opportunities to resell us the same programs over and over. I think this alienates the public and will slow down the adoption of digital television. I do not believe that entertainment industry mega-corporations should be dictating policy and copyright laws to the public. It is supposed to be the other way around. Consumers are not well served by a new television broadcast standard that allows less freedom to archive and time-shift programming than current standards, and must not accept any such standard dictated by profit-ravenous corporations.

Millions of early-adopter consumers have begun receiving, watching, recording, and enjoying digital television under the current standards. I am one of them. Most of us have spent thousands of dollars buying this equipment, which is a significant financial investment for an average family. We did so based on the belief that a standard already existed, and a reasonable expectation that the standard would remain viable for at least as long as the NTSC standard it replaces. We entered the transition to digital television with the full expectation that we would be able to have the same fair use rights that current analog TV allows. Without such rights, there is no reason why any consumer would chose to invest in new equipment for digital television. With a Broadcast Flag, there are no advantages to the consumer with digital television - only disadvantages. We will not accept that. The transition from analog to digital will never happen.

I am a law abiding citizen, and as earlier noted, I make my living in the television industry. But even though my livelihood depends on the success of the motion picture and television studios, I do not believe that trumped up fears of piracy are sufficient reason to throw away what consumers have come to expect from fair use laws. Piracy exists now, but there is no reason to believe it will increase due to a switch to digital television. The entertainment mega-corporations will see no meaningful change in profitability. They merely look at this as a means of gaining more control, and a path to create new ways to squeeze more money from consumers.

The way the MPAA blames "data pirates" for the woes of the entertainment industry is almost comical, and it has a familiar ring to it. Any student of history would recognize the sound. We heard similar outcries blaming Irish immigrants for the woes of New York City. We've heard it a thousand times before, about all kinds of people who were supposedly destroying our values and putting people out of work. It wasn't true then, and it isn't true now. The truth is that the entertainment industry loses vastly larger sums of money through foolish spending, over-generous perks, and outrageous bonuses paid to executives than it does due to piracy.

Tell the entertainment conglomerates to clean up their own act, and stop wasting so much money, before they come crying complaining about pirates and Broadcast Flags.

Thank you.